

COHEN & GREEN

September 16, 2024

Hon. Valerie Caproni, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

USDC SDNY
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Re: Lawless v. City of New York et al., 23-cv-09106

MEMO ENDORSED

Dear Judge Caproni:

I am co-counsel for Plaintiff in the case above. I write to ask for an extension of 45 days of the default 14 days under Rule 54(d)(2)(B)(i) to apply for attorneys' fees pursuant to 42 U.S.C. § 1988 and the judgment entered on September 4, 2024 (ECF No. 29).¹

The extension would allow the parties time to negotiate and attempt to resolve the issue without the Court's intervention (Plaintiff served a demand and timesheets on September 10, and the parties will be discussing). Defendants consent to this application.

Under Rule 54, the deadline for an application would normally be September 18, 2024. With this extension, the new deadline would be November 4, 2024.

As ever, I thank the Court for its time and consideration.

Respectfully submitted,

/s/

J. Remy Green

Honorific/Pronouns: Mx., they/their/them

COHEN & GREEN P.L.L.C.

Attorneys for Plaintiff

1639 Centre St., Suite 216

Ridgewood, New York 11385

¹ I also note that the Court, in issuing judgment, asked for "a joint letter providing a status update regarding reasonable attorneys' fees, expenses, and costs, as well as the status of the claims against the individual defendants and the John Doe defendants." Given that the deadline under Rule 54 is automatic, and the deadline is before the status letter date, Plaintiff makes this application in an abundance of caution.

To the Court's questions: The judgment addresses all claims against named officers and unknown officers (*see* ECF No. 29 ¶ 4), and the parties are happy to provide a further status update about fee negotiations on the 19th — but the status is unlikely to be significantly different.



cc:
All relevant parties by ECF.

Application GRANTED. Plaintiff's deadline to move for attorneys' fees is extended to **Monday, November 4, 2024**. The parties need not file a further status update on September 19, 2024.

SO ORDERED.

9/16/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE